

**BOROUGH OF DUMONT  
BERGEN COUNTY, NEW JERSEY  
REORGANIZATION MEETING MINUTES  
JANUARY 3, 2012  
7:00 PM**

Mayor Kelly called the meeting to order  
**Flag Salute; Silent Prayer**

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this public Reorganization meeting in a notice sent to *The Record* and *The Ridgewood News*, filed with the Borough of Dumont, and posted on the Dumont website and the official bulletin board.

General Election municipal results were read by the Municipal Clerk:

James Kelly-2,120 votes

William Brophy-2,002 votes

Matthew Hayes-1,980 votes

The Certification of Election, dated November 18, 2011 was received by the Municipal Clerk

Municipal Clerk Connelly reported that Mayor Kelly and Council members Brophy and Hayes were sworn in January 2, 2012.

**Roll Call:** Council members Brophy, Carrick, Freeman, Hayes, Stylianou, Zamechansky-present  
Mayor Kelly-present

Motion to Accept Agenda as presented.

Councilman Stylianou made a motion to move #04 out of order and prior to the Consent Agenda.

Second: Councilman Carrick

Roll call vote: Carrick, Freeman, Hayes, Stylianou, Zamechansky-yes

Councilman Brophy-no

Motion to adopt Resolution #04- Kenneth Freeman as Council President: Councilman Brophy

Second: Councilman Stylianou

Roll call vote: Council members Brophy, Carrick, Freeman, Hayes, Stylianou, Zamechansky-yes

Council President Freeman stated that growing up, his father had taught him that the most important thing one has is his reputation and you should do everything you can to preserve it; once it is gone you can never get it back. He said he has always lived by those words and always ensures that he makes decisions which will maintain his reputation as being fair, honest and conservative. He stated that his reputation had never

been attacked until November 10, 2011 when Don Winant, Jack Eckel and Mike Licamelli named him personally and as councilman in a defamation lawsuit, which they filed against the town. He didn't understand how this could happen when he hadn't done anything wrong. What made it worse was that he was named by people who were supposed to be on the same team as him. He said he is not going to be bullied or pushed around by anyone. Council president Freeman said he was excited when the Republican slate won on November 8th. He was asked by Sabino Rodano to attend a meeting November 14th with Mayor-elect Kelly and Councilmen-elect Brophy and Hayes. He thought this would be his opportunity to tell them everything he had learned over the past two years and the goals they could accomplish together. When he arrived, he met Jack Eckel for the first time, who mentioned nothing about the lawsuit; instead he proceeded to read from a legal pad the professional appointments they should vote for because "they took care of us over the years so it is time to return the favor." The RFQ's were not even advertised until November 21<sup>st</sup> and responses requested for December 13<sup>th</sup>. Mr. Eckel sent a follow-up e-mail confirming the professionals. Councilman Freeman continued that for those who do not know, Jack Eckel is a convicted criminal and as part of his consent order from September 2, 2005, he "shall now and be forever disqualified from holding any office or position of honor, trust or profit under this State or any of its administrative or political subdivisions". In the meantime, Mr. Rodano called the councilman to assure him he had nothing to worry about since "the purpose of the lawsuit was to go after the Democrats and Gregg Paster". He said that Don Winant wanted him to know that they were not going after him and that he would be ok. Mr. Rodano even told him what his defense would be "you followed the advice of Paster and you assumed that what he told you was good advice but it was illegal so you'll be ok." The Councilman said he was concerned about the lawsuit affecting his credit score and future employment. Mr. Rodano mentioned several times that this conversation did not occur if anyone were to ask. On December 23<sup>rd</sup>, Councilman Freeman met with Mayor-elect Kelly who proceeded to tell him that Don Winant wants a job with the town and Jack Eckel wants to be on a Board. If he helped to vote out Gregg Paster and vote for the professionals Jack Eckel had chosen November 14<sup>th</sup>, the lawsuit would go away. The Councilman said he has it all on tape. On November 28<sup>th</sup>, Don Winant came to Councilman Freeman's office and told him he wanted him to know he will never be served; they were going after Paster. The Councilman added that they wanted to get their professionals in; people they can work with and the lawsuit will go away. Councilman Freeman said that this meeting is on a surveillance tape. The Councilman said that the professionals on the agenda are not independently chosen by the Council; they were handpicked by Jack Eckel. He announced that he is so disgusted by the people who attacked him and his reputation without any merit that he is immediately going to change his party status from Republican to unaffiliated.

Councilman Stylianou commended Councilman Freeman for his courage in taking the hard path to do what is right for the Borough. He stated that he and Councilman Carrick worked alongside Councilman Freeman to make sure that any attempts to use Dumont as a political playground would not be permitted. Councilman Stylianou said he had sent e-mails to the present Governing Body asking them to contact him so they could discuss the appointments of the professionals and any other issues there might be but never received a response. The three incoming members seemed to

feel it would be better to form a transition team instead of meeting with the other council members. The transition team was comprised of people, in his opinion, who have absolutely no business giving advice on Dumont government or how to run the town. Councilman Stylianou suggested that people look at the record as to what happened several years ago when these individuals were in control. He informed those present that these people sued the Borough with a frivolous political lawsuit, which the taxpayers are going to have to pay for. He gave those who filed the lawsuit forty-eight hours to dismiss it with prejudice. If not, a counterclaim will be filed and a third party complaint against those we now know were involved in discussing, using it and dangling it for political reasons. This is not national politics-R's and D's should be left at the door-it's taking care of the seniors, recreation programs, potholes, etc.

Councilman Carrick spoke of his friendship of forty years with Jim Kelly. After the primary, information was sent out on the Republicans' behalf stating that they would put money back into the taxpayers' pockets but not how. They wrote that the Borough Attorney was paid \$1,000,000 on the Borough's infrastructure projects. The money was actually for the town and easements that were bought. There were other flyers sent to residents with false information. He received a message one morning on Facebook from the newly-elected mayor, Jim Kelly, calling him a moron asking how he got out of high school. When they spoke later that day, Mr. Kelly told the Councilman he did not write that. Later that day, Mayor-elect Kelly left him a voicemail admitting that he did write it and it was just a bad moment. The Councilman let it go, believing that after all the years they'd known each other they would still be able to work together. On election night when Jim, Bill and Matt won, he and others went to congratulate them. The first person he saw was Jack Eckel who asked why they were there instead of at the Elks with the losers. At the December 20<sup>th</sup> Council meeting Councilman Carrick made a motion to have Reorganization January 3, 2012. There was a second and motion carried. Mayor-elect Kelly wanted the date scheduled for January 2<sup>nd</sup> but two council members were unable to be present. The Mayor-elect could be heard from the back of the room calling them names. After the meeting, Councilman Carrick asked Mayor-elect Kelly if they were going to dinner as they had planned to discuss some of their issues but Mr. Kelly responded loudly with profane language.

Councilwoman Zamechansky said that she had spoken to Councilman Brophy and Mayor Kelly during their campaign and they all felt it would be good to keep the campaign clean. She said that when Councilman Freeman was elected, the Council put politics aside to do what was best for the town. She stated that she is the senior person on the governing body and has given up so much of her life for Dumont and is appalled at what had been going on with the new Mayor and council members.

Mayor Kelly refuted Councilman Freeman's suggestion that the professionals were picked by Mr. Eckel or others. He said that they had meetings and people brought him suggestions as to professionals who could help the town of Dumont. Some of them were discussed at a dinner Councilman Freeman referred to at which Mr. Eckel was present. The Mayor said that Mr. Eckel is a member of the Republican Club and a citizen of this town. He stated that he takes advice from everyone, no matter what party they are part of. He read the resumes of the professionals, spoke to them on several occasions and decided which ones would be best for the town and should be appointed. He wished to clarify that he couldn't tell Councilman Freeman at the lunch, which was recorded,

whether he would be served with the lawsuit. He had said that it was his gut feeling that they did not want to hurt Councilman Freeman and the lawsuit was not intended to hurt him. He remembers saying that he would never force him to vote on anything. He wants to be the type of Mayor that if he suggests something and the Council doesn't agree, he would like to hear from them. As for the other conversations people spoke of, it's their word against his.

Councilman Hayes stated that he did not remember introducing Councilman Freeman to Mr. Eckel. He said that about six years ago there was a coup in this town. The Mayor at the time was forced out of office. He had to comply with a gag order. Jack Eckel was the fall guy. \$1.5 million was "gone, stolen, misused". He said it never was and every election for the last six years the Democratic Party circulated that rumor. He asked whether they are willing to state tonight that no money was stolen or misused. Councilman Stylianou responded that the State of New Jersey would participate in what the Councilman is characterizing as a political witch hunt. They said that the way records were kept was a disgrace. He asked why Jack Eckel would plead guilty if he wasn't guilty. Councilman Hayes asked who went to jail. Councilman Stylianou replied that not everyone goes to jail as a result of a guilty plea-there were two guilty pleas. He added that you and others made a decision as to who to hire in mid-November.

Motion to accept the agenda as presented minus #12-04: Councilman Hayes  
Second: Councilman Stylianou  
All in favor.

**Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

## **RESOLUTIONS**

- #12-01 Appointment of 2012 Fire Department Officers \*
- #12-02 Adoption of By-laws for the year 2012 \*
- #12-03 Appointment of John McCann, Esq. as Borough Attorney for the year 2012 \*
- #12-05 Appointment of Roy McGeady, Esq. as Municipal Court Judge \*
- #12-06 Approval of Mayor and Council 2012 Meeting Dates \*
- #12-07 Appointment of Council Committees for the year 2012 \*
- #12-08 Approval of Payroll Account \*
- #12-09 Approval of Petty Cash Account \*
- #12-10 Approval of Municipal Court Cash Account \*
- #12-11 Participation in State Cash Management Fund \*
- #12-12 Establishment of Delinquent Tax Rate/Penalties \*
- #12-13 Authorization of Investment of Idle Funds \*
- #12-14 Designation of Official Depositories \*
- #12-15 Adoption of 2012 Temporary Municipal Budget \*
- #12-16 Authorized Signatories and Accounts-Mariner's Bank \*
- #12-17 Authorized Signatories and Accounts for Municipal Court-Mariner's Bank \*

- #12-18 Fire Department Interborough Mutual Aid \*
- #12-19 Fire Department Mutual Aid with Oradell, New Milford and River Edge \*
- #12-20 Adoption of Bergen County Natural Hazard Mitigation Plan \*
- #12-21 Hire John Pampaloni as Wastewater Consultant for the year 2012 \*
- #12-22 Appointment of Louis C. Mai CPA & Associates as Borough Auditor for the year 2012 \*
- #12-23 Appointment of Rogut McCarthy, LLC as Borough Bond Counsel for the year 2012 \*
- #12-24 Appointment of McCarthy-Hillside Insurance Inc. as Risk Manager for the year 2012 \*
- #12-25 Appointment of Boswell Engineering as Borough Engineer for the year 2012 \*
- #12-26 Appointment of William Paige as Recycling Coordinator for the year 2012 \*
- #12-27 Approval of 2012 Block Party and Street Closing Applications \*
- #12-28 Approval of Volunteer Tuition Credit Program \*
- #12-29 Appointment of Carmine DeMarco to Board of Health \*
- #12-30 Appointment of Donald Morrell to Ethics Board \*
- #12-31 Appointment of Joseph Waska as Tenant Member of Rent Leveling Board \*
- #12-32 Designation of the Borough's Official Newspapers \*
- #12-33 Approval of Membership in the N.J. League of Municipalities \*
- #12-34 Resolution #225-Marianne Lane as Library Board Trustee Vacated \*
- #12-35 Authorization to Re-advertise for RFQ's for Certain Positions for the year 2012 \*
- #12-36 Appointment of Elston and Associates as Borough Labor Attorney for the year 2012 \*

Councilman Stylianou requested that #12-01, Appointment of Fire Department Officers, be removed from consent agenda.

Motion to adopt the Consent Agenda: Councilman Hayes

Second: Councilman Brophy.

The Mayor asked if there was any discussion from the Council. Councilman Stylianou apologized for losing his composure but pointed out that most of the major appointments on the agenda tonight were the same as those in Jack Eckel's e-mail November 16<sup>th</sup>. The RFQ's were not even submitted until mid-December; therefore, in his respectful opinion there was no meaningful review of the qualifications. Mayor Kelly stated that people petitioned for jobs prior to receiving RFQ's, which probably happened in the past also. Many of the professionals were suggested to him by members of the Republican Club and people he knows in the community. The fact that the professionals on the agenda are the same as first suggested does not mean anything. After looking at the RFQ's nobody stood out as being better than them.

Councilman Hayes was asked if he reviewed the Requests for Qualifications and responded no. He knows Boswell Engineering from the past.

Councilman Carrick pointed out that the people of the town make the decision who should serve on the Council and then the Council makes decisions concerning the town. If you don't want to make the decisions, you don't belong on the Council.

Councilman Brophy said that he did review some of the RFQ's. He admitted he was surprised that more things did not occur as a group.

Mayor Kelly asked if any of the suggested professionals on the agenda are not qualified. Councilman Stylianou replied that what surprised him was the fact that they

were being asked to vote to advertise for more RFQ's for prosecutor, for instance. Carter Corriston is a prosecutor in other towns, endorsed by the Police Department and by the Judge. Judge Holdsworth had asked to sit with you but you didn't take him up on that. Mayor Kelly wanted to make sure that the town got as many qualified people in as possible. Councilman Stylianou pointed out that Council members Brophy and Hayes didn't review the original RFQ's so why try to bring in more?

The Mayor said he was elected to change things in town.

Councilman Carrick asked why the Mayor wants to replace the Judge, who was originally appointed by Mayor Winant. Mayor Kelly answered by reading Judge McGeady's resume. He said he is not saying Judge Holdsworth is not capable. This is the voters' mandate.

There was discussion as to whether Mayor Kelly had knowledge of the lawsuit. Ex-mayor Winant gave the lawsuit to a reporter for the Record. That is the way they found out there was a lawsuit against the Council members.

Councilwoman Zamechansky questioned resolution #07-Council Committee Appointments. The e-mail of November 14<sup>th</sup> designated her, a senior council person, as chairperson of Buildings and Grounds. The Mayor asked why this was offensive to her to which she responded that this is normally assigned to a new person so that they can learn the ropes.

Motion to open to the public: Councilman Stylianou

Second: Councilman Carrick

All in favor.

1. John Eckel, 20 Virginia Avenue, asked if there was a certification of funds for the lawyer hired to defend them in the lawsuit. He said he sent the e-mail out following a discussion at a dinner meeting pertaining to professionals and committee appointments. He asked Councilman Freeman if he attended any of their other meetings.

Councilman Stylianou asked if the reason he wasn't invited to the meetings was because he has a "D" after his name. Mr. Eckel responded, "Yea, that's right".

Mr. Eckel addressed Councilman Stylianou saying "whatever you got to do with the lawsuit, go right ahead". Councilman Stylianou told him to do the right thing and dismiss it; however Mr. Eckel said he's not dismissing it. He added that when he was deposed he was never told whether the latest test results showed gasoline as the DPW. He also asked how the cell tower could be installed when the area is supposed to be contaminated.

Mr. Paster responded that it was remediated as part of the cell tower installation. Mr. Eckel addressed Councilman Freeman: "Ken, you were never a Republican."

2. Kai Chen, 90 Teak Road, requested that all the documents and recordings discussed by the Council be made available on the Borough website.
3. Matt Krueger, 111 Thompson Street, asked when the RFQ's were advertised, submitted and how much time there is for Council review. He asked whether any other municipalities had been contacted for input on their professionals.
4. Terri Kolodziej, 147 Sunset Street, thanked Councilman Freeman for opening up their eyes as to what was happening. She said that the three new members just spit in the face of everyone who voted for them and since it seems that Jack Eckel and Don Winant are still running the show, she asked if the Mayor would resign.

Mayor Kelly reminded everyone that Jack Eckel and Don Winant are residents of this town and they are also his friends. He will take advice from people and then make his own decisions. He said that Don Winant ran this town in ten years better than anyone has in the fifty-two years the Mayor's lived here. He added that the lawsuit comes at a bad time. He has no intention of stepping down.

5. Teresa Kelly, 107 E. Linden Avenue, said that a lot of things were said during the election. She asked that they find a way to put things behind them and work together. Tonight was not productive at all; give the new Mayor and council members a chance.
6. MaryAnn Russini, 141 Roosevelt Avenue, asked about the flooding issues in her area.
7. Bill Bocchichio, 94 Hillcrest Drive, former Mayor of Dumont spoke of when the Democrats took over in town and the money dealing through ELEC. He stated that Joe Ferriero practically ran the Council. He asked that the Governing Body talk together and move forward. He suggested that this meeting should be adjourned, they should all sit down and discuss things.
8. Tim Hickey, 165 Randolph Avenue, stated it would be prudent not to make appointments tonight and for all to review the RFQ's.
9. Carl Manna, 108 Harding Avenue, stated that he had sent e-mails to guide the new mayor. He said that he should be taking counsel from the Council. Voting on appointments tonight would be counterproductive. There should be discussion prior to voting.
10. Robert MacDonald, 75 Lucille Avenue, expressed disappointment in the Council's behavior.
11. Don Morrell, 63 Depew Street, stated it is time for a change; what Ken did was wrong. They have to work together.

Mayor Kelly wants to do what's best for Dumont. He feels they should have discussion before voting on appointments tonight.

Motion to close to the public: Councilman Stylianou

Second: Councilman Freeman

All in favor.

Mr. Paster explained that there had been a motion and second on Resolutions #1-36 excluding #1 and #4. If they are inclined not to vote on these resolutions, Councilman Brophy would withdraw his second and Councilman Hayes would withdraw his motion and then motion to table could be considered.

Councilman Brophy withdrew his second and Councilman Hayes withdrew his motion.

Mr. Paster suggested resolutions needed to keep the town running should be voted on #8, #15, #16, #17:

#12-08 Approval of Payroll Account

#12-15 Adoption of 2012 Temporary Municipal Budget

#12-16 Authorized Signatories and Accounts-Mariner's Bank

#12-17 Authorized Signatories and Accounts for Municipal Court-Mariner's Bank

Motion to remove Resolutions #8, #15, #16, and #17 from Consent Agenda: Councilman Stylianou

Second: Councilman Brophy

All in favor.

Motion to approve: Councilman Stylianou

Second: Councilman Brophy

#12-01 Appointment of 2012 Fire Department Officers

#12-08 Approval of Payroll Account

#12-15 Adoption of 2012 Temporary Municipal Budget

#12-16 Authorized Signatories and Accounts-Mariner's Bank

#12-17 Authorized Signatories and Accounts for Municipal Court-Mariner's Bank

Resolutions adopted by acclamation.

Motion to table the remainder of the agenda: Councilwoman Zamechansky

Second: Councilman Brophy

Roll call vote: Council members Brophy, Hayes-yes

Council members Carrick, Freeman, Stylianou, Zamechansky-no

Motion to adopt the balance of the consent agenda: Councilman Hayes

Second: Councilman Carrick

Councilman Brophy stated that he doesn't feel it is appropriate to vote on the consent agenda at this time.

Roll call vote: Councilman Hayes-yes

Council members Brophy, Carrick, Stylianou, Zamechansky-no

Councilman Freeman abstained.

Consent agenda is tabled.

Motion to adjourn: Councilman Stylianou

Second: Councilman Freeman

All in favor.

Meeting adjourned at 9:32PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk